

5.0 CONSULTATION AND COORDINATION

5.1 PUBLIC INVOLVEMENT

On August 31, 1995, a notice was sent to the public, media, agencies, and other organizations on the BLM California Desert District mailing list (about 6,000 names), describing the purpose of interagency planning covering issues within the NEMO Planning Area. On September 5, 1995, a Notice of Intent announcing the beginning of the planning process and EIS was published in the Federal Register.

Public workshops were held from September 21 through 27, 1995 at Pasadena, San Bernardino, Barstow, Baker, Needles, Ridgecrest, Independence, Lone Pine, and Furnace Creek, California, and in Las Vegas, Nevada. About 250 people attended the workshops. These workshops were used to identify issues and concerns to be addressed in the National Park Service management plans, CDCA Plan amendments, and accompanying EIS documents for the area. These public workshops were augmented by interagency scoping workshops to identify cross-jurisdictional and other issues of concern.

Ten additional public workshops were held from April 14 through 24, 1997 at the same locations as stated above. About 330 people attended the workshops. These workshops were used to identify alternative management approaches to be addressed in the EIS.

In August 1998, BLM held additional public meetings to clarify the proposals and ask for any additional issues, alternatives, or concerns, not presented in earlier scoping meetings, and present the framework for a desert tortoise conservation strategy developed that spring. The scoping process was concluded in Nov 1998.

Comments have been grouped together under the planning goals and issues to assist readers in identifying the issues that are of primary concern to them. Many of these categories reflect the various environmental resources that may be used to organize the analysis in the EIS, such as biological, cultural, and wilderness. Other categories were created to reflect the nature of the comments received.

5.1.1 PLANNING PROCESS

Objectives were generated for each element of the CDCA Plan to analyze the current management situation and develop proposals and alternatives that address specific resource and scoping issues. The BLM developed a tentative package of candidate CDCA Plan amendments based on the scoping process. Additional public input on alternatives was sought at public meetings. Based on these meetings and subsequent staff input, additional proposals and alternatives were developed for consideration, and existing proposals were further refined. Once proposals and alternatives were preliminarily developed, an interdisciplinary meeting was held to integrate proposals and alternatives.

5.1.2 ISSUES SUMMARY

BLM received a rich array of comments during the scoping comment period. Because the purpose of scoping is to present issues and ideas for consideration by the preparers of the EIS, it is more important to capture what has been expressed rather than how often. Consequently, a summary table has been prepared to represent the breadth and variety of comments, not their frequency.

As required by CFR 1501.7 for implementing NEPA, BLM has used the scoping process to determine the scope of issues to be addressed in the NEMO EIS. In addition, BLM land-use planning regulations at 43 CFR 1610 were also used to guide the determination of the scope of the NEMO planning effort.

Issues that are outside the NEMO planning effort fall into five categories:

- a. Issues that are not directly related to the implementation of the California Desert Protection Act;
- b. Issues that can be adequately addressed under current land use planning mechanisms without the need for additional planning;
- c. Issues that are larger in scope than the NEMO planning area and which can be better addressed at another level (e.g., CDCA-wide);
- d. Issues concerning Congressionally designated boundaries and land uses;
- e. New issues that necessitate additional plan amendments. Amendment proposals submitted after November 1997, will be considered in a subsequent amendment process.

Issues that are within the scope of the NEMO planning effort are ones that deal directly with the conservation of the Desert Tortoise or the CDPA and fall into four categories:

- a. Issues affecting public lands transferred from BLM to NPS and their relation to the California Desert Conservation Area Plan (CDCA Plan).
- b. Issues affecting public lands no longer considered for wilderness designation.
- c. Issues affecting public lands where threatened and endangered (T&E) species conservation and recovery is required. The latter is a result of the 1989 listing of the desert tortoise over a broad area of the Southwest deserts and subsequent development of a recovery plan.
- d. Issues that have emerged from scoping that are not adequately addressed in the current land-use planning documents and decisions.

Major issues that emerged as a result of the planning process and scoping are outlined in Section 1.3 of Chapter 1.

Issues and comments that were within the scope of the NEMO planning effort are grouped into categories by resource.

Table 5-1 located at the end of this chapter lists by category the issues, comments, and concerns gathered during the scoping process and whether they are within the scope of the planning process.

5.2 INTERAGENCY COORDINATION AND CONSULTATION

5.2.1 NATIONAL PARK SERVICE

Interagency coordination with the National Park Service was essential at key phases during the planning process and on specific cross-jurisdictional issues. Early in the planning process, joint public and interagency scoping meetings were held to identify issues for consideration. Joint newsletters were utilized to keep the public apprised of progress in both agencies' planning efforts, including key dates.

Interagency meetings were held throughout the development of the range of alternatives on cross-cutting issues, such as joint biological team meetings, which identified and addressed potential coordination needs. The most important cross-jurisdictional issue in this document is the recovery of the East Mojave population of the Federal and State threatened desert tortoise. The strategies BLM has identified can meet recovery goals only if recovery strategies are also adopted by the Mojave National Preserve. Several of these strategies are expected to require continued interagency coordination and consultation on a local and regional level to be successfully implemented.

5.2.2 U.S. FISH AND WILDLIFE SERVICE

Endangered Species Act Consultation on CDCA Plan, as amended.

The Congress specified that the purposes of the *Endangered Species Act of 1973* (Public Law 97-304), as amended, (ESA) "are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions..." (Sec. 2(b)). The ESA states it "to be the policy of the Congress that all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of this Act." (Sec. 2(c)(1)) The fulfillment of these purposes is a fundamental issue in this planning effort.

The ESA further provides that "Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out

by such agency.. is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat of such species..." (Sec. 7(a)) By Federal regulations (*Code of Federal Regulations, Volume 50, Part 402*) implementing the provisions of Section 7 of the ESA, the BLM and other Federal agencies must *consult* with the USFWS on projects, plans, and actions that may negatively affect a threatened or endangered species. The USFWS then issues a *biological opinion* relative to jeopardy and adverse modification. A similar review referred to, as a *conference* is required for species that are proposed for Federal listing.

In earlier years, consultations were not conducted on land use plans, such as the CDCA Plan. The courts have determined that consultations are required on land-use plans. Therefore, as a part of this planning process, the BLM will formally consult and confer with USFWS on the affects of the NEMO Plan and the CDCA Plan in the NEMO Planning Area as modified by the NEMO plan on threatened and endangered species.

The BLM has determined that the following federally-listed species may be affected by the CDCA Plan in the NEMO Planning Area:

desert tortoise (threatened) and critical habitat,
Inyo California towhee (threatened)
southwestern willow flycatcher (endangered),
least Bell's vireo (endangered),
Amargosa vole (endangered) and critical habitat,
spring-loving centaury (threatened),
Ash Meadows gumplant (threatened) and critical habitat, and
Amargosa niterwort (endangered) and critical habitat.

This Plan and Draft EIS together with a CDCA Plan edited with amendments and various other supporting documents (e.g., *Current Desert Tortoise Management Situation in Northern and Eastern Mojave Planning Area*) will provide the necessary information to conduct the consultation/conference.

Programmatic Consultation on Desert Tortoise

The BLM currently has a number of biological opinions from USFWS that cover a group of activities or a program; such biological opinions are referred to as *programmatic biological opinions*. Each covers only the species addressed in the consultation. In the NEMO Planning Area, the BLM currently has four biological opinions addressing desert tortoise for the following classes of activity: small mining operations (under 10 ac.), small disturbances (under 2 ac.), cattle grazing, and dual-sport motorcycle events. Many other biological opinions cover individual projects on a case-by-case basis.

The BLM proposes to consult with USFWS on the CDCA Plan, as amended by the NEMO Plan amendments, and obtain a biological opinion covering most projects affecting desert tortoise or its critical habitat. The programmatic consultation will not cover the following:

Projects that disturb more than 100 acres (Preferred Alternative) except transmission lines and pipe lines that do not require an EIS or Plan Amendment;
Projects that require an EIS; or
Projects that require a CDCA Plan Amendment.

Standard mitigation measures are presented in Appendix A for the programmatic biological opinion. These measures would be applied to projects to mitigate impacts on desert tortoise and to compensate for residual impacts to tortoise habitat after mitigation. Further formal consultation with USFWS would not be required for covered projects, but a reporting and review process is included. The programmatic biological opinion will specify an allowable *incidental take* (i.e., take incidental to an otherwise legal activity) for covered projects.

The BLM also proposes to obtain a *programmatic* biological opinion for desert tortoise on projects that may be proposed in the future. Standard mitigation measures are presented in Appendix A for application on these projects to mitigate for impacts and to compensate for residual impacts to its habitat after mitigation. Further formal consultation would not be required for covered projects, but a reporting and review process by USFWS is included. The programmatic biological opinion will also specify an allowable *incidental take* (i.e., incidental to an otherwise legal activity) for the CDCA Plan and for covered projects. The programmatic consultation will not cover the following:

Projects that disturb more than n acres (where n = 50, 100, or 200 depending on alternative) except transmission lines and pipe lines that do not require an EIS or Plan Amendment;
Projects that require an EIS; or
Projects that require a CDCA Plan Amendment.

5.2.3 SHPO/CA-SHPO

State Historic Preservation Office consultation has been initiated consistent with Section II C of the State protocol agreement between BLM and SHPO for the NEMO Planning Area. SHPO was requested to provide comments on issues and alternatives specific to historic and prehistoric properties in the Planning Area. Information received has been taken in to account in our analysis and decision making process. Impacts to cultural resources are also considered in the context of the National Environmental Policy Act, and measures are taken to avoid or mitigate impacts, where appropriate.

5.2.4 OTHER BIOREGIONAL PLANNING

Coordination between the NEMO, West Mojave and NECO Planning Efforts has taken place to address consistency in cross-jurisdictional issues for planning throughout the

California Desert District. These three-plan coordination meetings have been occurring since scoping was completed. The NECO Planning Area is twice the size of NEMO, and is adjacent to NEMO, south of I-40. NEMO and NECO share adjoining boundaries of extensive desert tortoise habitat across I-40. NECO's habitat is in two other desert tortoise recovery units. The WEMO Planning Area is about four times the size of NEMO and abuts NEMO on most of the western boundary of the planning area. Desert tortoise conservation and recovery and competitive sport speed events are major cross-jurisdictional coordination issues.

5.3 NATIVE AMERICAN CONSULTATION

Federal consultation for the NEMO planning area was initiated in 1997, and culminated in a meeting attended by Fort Mojave, Chemehuevi, and Timbisha tribal representatives to provide comments and concerns regarding religious, heritage values, or traditional properties that they may have information on which may be affected by the planning effort. The Timbisha tribe had also concurrently initiated a focused and separate planning effort to address the issue of provision and administration of tribal lands, including portions of the NEMO planning area. Issues identified at the July, 1997 meeting for consideration during analysis included the following:

- (1) Assure tribal vehicle access to public lands and give tribes special consideration;
- (2) Gives tribes timely notification of burials and the opportunity to participate in burial location;
- (3) Identify sacred sites more specifically by tribal affiliation;
- (4) Evaluate the potential for loss of water from future development;
- (5) Thoroughly analyze any potential use of the planning area for radioactive waste
- (6) Consider leaving human remains in place.

Additional letters were subsequently sent out to these tribes, and to the Las Vegas Piutes, requesting further comment on the planning effort. Information received has been taken into account in our analysis and decision-making process.

Persons / Agencies Receiving Document

Northern & Eastern Mojave Draft Environmental Impact Statement
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Wallace	A. Brian	NV. 89410
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Williams	Lewis	CA. 92307
Woodruff	Patricia	CA. 94611
Wright	William E.	CA. 93513
Wuerthner	George	OR. 97403
Wyss	Joanna	CA. 95462-0019
Yonge	Sandra	CA. 93545
Young	Glenn	CA. 93530
Zaehst	Bob	NV. 89046
Zimmerman	John	UT. 84105
Zogg	Paul	CO. 80302
County of Inyo	Planning Department	CA. 93526
County of San Bernardino	Planning Department	CA. 92307
County of Inyo	Board of Supervisors	CA. 93526
California State Parks		CA. 93534
Bureau of Indian Affairs		CA 92363
California State Lands		CA. 95814
Commission		
California Department of Parks and Recreation		CA. 94296-0001
Army Corp of Engineers		CA. 90053
Environmental Protection Agency		CA. 94105
Environmental Protection Agency		CA 94105
U.S. Environmental Protection Agency	Office of Federal Activities	D.C. 20460
U.S Fish & Wildlife Service		CA. 93003
Branch of Mineral Assessment	Bureau of Mines	D.C. 20240
Western Field Office	Bureau of Mines, MS 5100	WA. 99202
Bureau of Reclamation	Denver Federal Center (D-150)	CO. 80225-0007
Chief, Division of Environmental Coordination	U.S. Fish and Wildlife Service	D.C. 20240
Division of Environmental Compliance (762)	National Park Service	D.C. 20240

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Chapter V: Consultation and Coordination

Environmental Affairs Program	U.S. Geological Survey	VA.	22092
Chief, Planning Division	South Pacific Division	CA	94111
Office of Environmental Compliance (EH-23)	Department of Energy	D.C.	20585
Environmental Review Coordinator	EPA Region IX	CA	94105
Victorville Public Library		CA.	92392
Adelanto Public Library		CA.	92301
Apple Valley Public Library		CA.	92307
Barstow Public Library		CA.	92311
Lucerne Valley Public Library		CA.	92356
Inyo County Library		CA	93526
Ridgecrest Public Library		CA	93555
Needles Public Library		CA	92363
Lone Pine Library		CA	93545
Tecopa Library		CA.	92389
Pasadena Public Library		CA	91101
Pahrump Public Library		NV.	89041
Las Vegas Public Library		NV.	89101
County of Inyo	Planning Department	Independence,	CA. 93526
County of San Bernardino	Planning Department	Apple Valley,	CA. 92307
County of Inyo	Board of Supervisors	Independence,	CA. 93526
California State Parks		Lancaster,	CA. 93534
Bureau of Indian Affairs		Needles,	CA 92363
California State Lands Commission		Sacramento,	CA. 95814
California Department of Parks and Recreation		Sacramento,	CA. 94296-0001
Army Corp of Engineers		Los Angeles,	CA. 90053
Environmental Protection Agency		San Francisco,	CA. 94105
Environmental Protection Agency		San Francisco,	CA 94105
U.S. Environmental Protection Agency	Office of Federal Activities	Washington	D.C. 20460
U.S Fish & Wildlife Service		Ventura,	CA. 93003
Branch of Mineral Assessment	Bureau of Mines	Washington	D.C. 20240
Western Field Office	Bureau of Mines, MS 5100	Spokane,	WA. 99202
Bureau of Reclamation	Denver Federal Center (D-150)	Denver,	CO. 80225-0007
Chief, Division of Environmental Coordination	U.S. Fish and Wildlife Service	Washington	D.C. 20240
Division of Environmental Compliance (762)	National Park Service	Washington	D.C. 20240
Environmental Affairs Program	U.S. Geological Survey	Reston,	VA. 22092
Chief, Planning Division	South Pacific Division	San Francisco,	CA 94111
Office of Environmental Compliance (EH-23)	Department of Energy	Washington	D.C. 20585
Environmental Review Coordinator	EPA Region IX	San Francisco,	CA 94105

TABLE 5-1: NEMO SCOPING COMMENTS

NEMO SCOPING COMMENTS			
Comment	Element & Planning Issue	Within Scope	How Addressed
1. Cultural Issues			
Any MUC Boundary changes needed	Cultural Issue 1: Need for management zoning adjustments	Y	MUC Amendments Proposed
Establish policies for the preservation, protection, interpretation and the appropriateness of revealing the locations of cultural resources	Cultural Issue 2: Adequacy of existing CDCA guidance for cultural resource management	N	Already addressed in existing planning documents and Bureau Policies: Admin workload issue.
Is our protection strategy for cultural sites adequate? Of Particular concern are those identified and accessible to the public.(i.e., i.d., those that should be nominated, schedule nominations, and determine contributing portions upon identification.			
Distinguish between historic abandoned mine sites that need protection and sites that are providing garbage dumping grounds and safety hazards	Cultural Issue 3: Need to keep management options open for problem areas needing reclamation	N	Already addressed. Where not on the NRHP, addressed with site specific analysis when identified
SBmtg: Will BLM Destroy historic structures.			
How do we deal with historic ROW and ways in wilderness?	Cultural Issue 4: Need for protection of cultural resources in wilderness.	N	Outside scope: May be addressed in future wilderness management planning.
Have we addressed and is our protection strategy for Native American Tribal sites adequate?	Cultural Issue 4: Need for protection of Native American sites.	N	May be addressed under existing guidance, using separate consultation and agreement with Native American tribes.
Need to develop a strategic cultural program (beyond ad hoc and reactive focus) e.g. mitigation caching and other creative methods to meet goals, long term strategies for surface objects, and to gather and assess historical context.	Cultural Issue 5: Need for more systematic and proactive approach to protection and/or documentation of significant (including NRHP eligible) Properties.	N	Beyond scope of this plan: T&E and CDPA focus. Also admin/workload issue. Importance of many sites already established through previous planning documents.
Need to follow through on National Register process.			
How do we deal with potential impacts to features that are historically significant at the time of designation (i.e. Mines, ROW's, ways and structures)			
PSkr I.d. on ground, map, interpretation and documented history. 20 Mule Team Wagon Road through Death Valley floor and Panamint Mountains.	Cultural Issue 6: Need for additional site-specific management strategies	N	Beyond the scope of this plan: T&E and CDPA Only..
NePS / PSkr: Address, ID, Interpret and possible restoration of some cultural, significant cultural resources (T&T, Patton Military sites, WPA Guzzler sites, trails, cultural landscapes, Dinosaur Trackway.			
AC11: Wher do the Mojave Road, T&T RR grade and other eligible properties retain integrity, what is the proper historical designation and is there a need for restoration?			
NePS: I.D. Cultural elements to be restored such as certain features along historical Route 66.			
?: Do we adequately manage significant linear historic features (Across Jurisdictional Boundaries)	Cultural Issue 7: Coordination Strategies	N	No specific issues identified. If needed, specific historic features may be addressed in future activity level planning.
2. Native American Element			
AC 52: Any MUC Boundary changes needed	Native American Issue 1: Need for management zoning adjustments	Y	MUC Change amendments

NEMO SCOPING COMMENTS			
Comment	Element & Planning Issue	Within Scope	How Addressed
NePS : Where/what are the traditional native land uses e.g. Mojave, Chemehuevi, Timbisha, Shoshone?	Native American Issue 2: Adequacy of existing CDCA guidance for Native American resource management.	N	Already addressed in existing planning documents and Bureau policies.
NePS: How should areas with Native American spiritual values be managed (e.g. Public access)?			
Is Native American rock art being adequately protected and interpreted?	Native American Issue 3: Need for additional site-specific management strategies.	N	Beyond the scope of this plan: T&E and CDCA focus
? Are we adequately recognizing them and providing for cooperative management through our existing agreements?	Native American Issue 4: Coordination Strategies	N	Coordination and consultation will occur. Affects not anticipated at this time. If any proposals and alternatives affect Native American sites or access additional coordination will occur.
C. What, if any are the problems associated with these uses?			
3. Wildlife Element			
AC52: Any MUC Changes Needed	Wildlife Issue 1: Need for management zoning adjustments	Y	MUC Change amendments
AC2,Pssgm,AC3, AC8, FWS addressed recovery objectives for the Desert tortoise established in the recovery plan & designate DWMA's. Develop a mgt strategy for DT in the wildlife management area.	Wildlife Issue 2: Need to address Desert Tortoise listing / recovery	Y	Plan Amendments and Desert Tortoise Conservation Strategy are addressing specific issues.
PSmt: Do cost/benefit analysis of DT protection measures – focus on effective measures with best B/C ratios.			
AC6: Minimize habitat fragmentation			
AC19: Consider design of additional RNAs for DT/habitat.			
PSsgm: Include a large portion of Ivanpah Valley in DT Mgt. Area, Cima Lava fields are not best DT habitat.			
AC9: How will forage be allocated, in particular in DWMA's.			
AC13: What are standards to determine if research proposals in DT recovery areas are appropriate.			
AC19: Consider design of additional RNAs for tortoise habitat within grazing allotments and possibly within open areas.	Wildlife Issue 2: Continued	Y	See Above
Pssgm: Include portions of Lava field in DT Management area			
AC9: Per BO			
AC13: Initiate study on grazing impacts to desert perennial grasses			
SBmtg: High quality DT habitat should be assessed by vegetative correlation.			
PasMtg: Address fencing for DT			
PasMtg: DT recovery, How will we know when we get there? – How long is DT recovery – What comes next when recovery is achieved? – Did you identify impacts to DT from raptors and other birds e.g. Raven predation and develop strategies to manage thewse impacts?			
? : Consider strategies that provide economic incentives to protect DT.			
? : What effects will the Ivanpah airport have on the area?			
? : Include public education on land ethics			

NEMO SCOPING COMMENTS			
Comment	Element & Planning Issue	Within Scope	How Addressed
AC7: Implement DT and Mojave Tui Chub recovery plans	Wildlife Issue 3: Need to Address other T&E protection / Recovery	Y	Where T&E are found to occur , ACECs are evaluated.
NePS: Also Amargosa Vole recovery plan	Wildlife Issue 4: Need to address other sensitive species protection.	Y	MUC Change Amendments
AC1, AC15, PSsgm: Develop a mgt strategy foe other sensitive species and areas of species richness to maintain and protect (Habitat VS Species planning)			
AC4: Plan mining activities and mine reclamation strategies that promotes and protects bat populations.			
PSsgm: Evaluate the potential to restore native species (Pronghorn antelope, Wolf)	Wildlife Issue 5: Need for restoration of native species and elimination of exotics.	Y	Addressed in the context of T&E species. ACEC proposals only
Pske: Remove all exotic species including Chucker			
PSsgm: Reexamine guzzlers as a viable wildlife management tool before installing, maintaining additional guzzlers, include impacts on DT and native / non-native species	Wildlfiue issue 6: Need for additional guidance on guzzler management	Y	To the extent it is an issue for DT conservation, it is addressed in this planning effort. Wilderness issues addressed through separate wilderness planning & policy annexes
Psfw: Ibid in wilderness areas unless they are important biologically and can be maintained w/o vehicles.			
Pskd: Maintain CDFG access to guzzlers including wilderness.			
AC33: Provide long-term watershed strategy for Amargosa Pupfish and other species	Wildlife issue 7: Need for additional site-specific management strategies	Y	Part of the ACEC proposal for Amargosa
Psjw: Need baseline studies of wetland ecosystem, desert fishes, springsnails, and associated inverts. Populations should be maintained at 100% of potential			
4. Vegetation Element			
AC52: Any MUC Boundary changes needed?	Veg Issue 1: Need for Management zoning adjustments	Y	MUC amendment proposals
Pssgm: Identify unique or UPA in planning area (e.g. red gramma grasslands, white fir forests) & protect more pristine areas with populations.	Veg issue 2: Need to address specific sensitive habitat / recovery	Y	ACEC proposal for T&E. Some of the White Fir population is included in one of the ACEC expansion proposals
AC31: Populations of white fir and others on “Sky Islands” need special attention and additional study			
Neps: Dolomite formations also host many endemic plants and should be evaluated			
Pssh: Protect old growth vegetation (e.g. Yuccas) from damage	Veg issue 3: Need for restoration of native species and ecosystems and elimination of exotics.	Y	To the extent that these are issues for DT conservation. May be addressed subsequently in other ACEC management plans if designated.
AC4: To what extent is type conversion occurring? What effect does fire mgt strategies have on this?			
Pcswc: Protect and recover native biodiversity			
NePS: Consider options for controlling exotic species.			
Pssgm: Consider Vegetation restoration of lands (abandon, developments, like mines, homesteads, corrals)	Veg issue 4: Need to protect riparian / wetland habitats	Y	Indirectly addressed through watershed ACEC proposal. Specific strategies and impacts would be evaluated subsequently during ACEC management planning.
AC3: Evaluate impacts from GW depletion on habitat health. What is the threshold of draw-down and what can be done to help conserve water dependant habitats?			
5. Wilderness Element			
AC52: Any MUC boundary changes needed? (e.g. areas released that are default MUC L)	Wilderness issue 1: Need for management zoning adjustments	Y	MUC amendment proposals for “released” lands no longer under wilderness review

NEMO SCOPING COMMENTS			
Comment	Element & Planning Issue	Within Scope	How Addressed
AC2: Identify and designate specific access points and/or staging areas horse loading, hunter and hiker parking	Wilderness issue 2: Need for additional facilities at wilderness boundaries	N	Addressed under separate wilderness planning process
AC22: Identify and recommend needed boundary adjustments	Wilderness issue 3: Need for wilderness boundary adjustment recommendations	N	Addressed in a separate process for each wilderness
AC6, AC3, NePS: Consider recommending amendment of CDPA to allow motorized use of the “Heritage” trail or rerouting trail. Are there other well used trails with breaks due to CDPA that we should address?	Wilderness issue 4: Need to amend wilderness use parameters	N	Outside the scope of T&E conservation or CDPA implementation and coordination. May be addressed in separate process for each wilderness.
Pssh: Boundary adjustments are inappropriate as part of this planning effort			
Identify minimum requirements for access in wilderness	Wilderness issue 5: Need for wilderness guidance clarification	N	Addressed through separate wilderness planning & policy annexes
AC4, AC^AC10: Provide access to private lands & authorized activities(e.g. grazing, utilities, valid mining claims) in wilderness	Wilderness issue 6: Need for access to private lands & permitted activities.	Y	Addressed in route designation strategy for DT critical habitat.
?; What degree/type of access? (refer to CDPA).			
NePS: Address wilderness Mgt. Guidelines re: Maintenance and installation of big & small game guzzlers.	Wilderness issue 7: Define what does/does not promote wilderness values.	N	Outside the scope of this planning effort.
?: What is our fire management strategy in wilderness?			
AC82: What is the policy on tagging wildlife or similar research-related practice?			
AC32: What additional steps should we take to protect the scenic quality of visitor use corridors?			
AC6: I.D. and protect high visual quality viewsheds including those from highways (e.g. from billboards, signs). Should we relocate sand & gravel pits away from wilderness viewsheds?	Wilderness issue 8: Need for additional guidance to protect/maintain scenic resources.	N	Outside the scope of this planning effort.
AC30, PSSgm: Look at noise and visual Mgt. Strategy, with emphasis on (reducing) low-level aircraft and artificial light sources.			
AC10: What visual reclamation standards should we use for mining disturbances?			
AC11: To what degree do we plan to reclaim closed routes?			
Pssgm: Reduce plane contrails over wilderness			
AC4: Is our existing hiking trail network adequate (more,less,ok)			
AC2: Should camping areas in wilderness or no camping zones along open routes be designated?	Wilderness issue 9: Need for additional recreation management / guidance.	N	Outside the scope of this planning effort. Specific wilderness planning is a separate process.
AC3: Should we look at permitting and/or group size limits?			
AC20: Should there be additional restrictions on campfires in wilderness?			
?: What are our route signage needs?	Wilderness issue 10: Need for public information and enforcement strategy	N	Outside the scope of this planning effort. Specific wilderness planning is a separate process.
?: Providing information to the public on and enforcement of route designation decisions.			

NEMO SCOPING COMMENTS			
Comment	Element & Planning Issue	Within Scope	How Addressed
? : How can travel corridors through gateway communities compliment the goals and missions of adjacent Federal land while gaining economic benefits to the communities? Joint marketing strategies.	Wilderness issue 11: Coordination strategies	N	Outside the scope of this planning process.
6. Wild Horse and Burro Element			
AC52: Any MUC/boundary changes?	WH&B issue 1: Need for mgt. Zoning adjustments	Y	WH&B herd mgt. Area adjustments are I.D.ed where land is no longer managed by BLM or in conjunction with DT conservation.
NePS: Determine appropriate management policies for each area/sub-unit.	WH&B issue 2: Need to amend element in specific areas	N	Separate strategy being developed to evaluate herd size using a 5 year monitoring strategy.
Pssh: Immediately reduce burro populations to the BLM HMA levels in new NPS areas. Plan to zero out these populations within NPS lands.			
Psnw: Protect WH&B where they were identified as existing in 1971			
Pssgm: Exclude WH&B form naturally occurring surface waters but maintain access to Big Horn.	WH&B issue 3: Adjust exclusion areas to protect riparian resources.	N	Can Occur as needed under existing management
AC: Develop joint mgt plans for WH&B populations in areas that cross-jurisdct boundaries.	WH&B issue 4: Coordination strategies	N	Being pursued in a separate strategy
7. Range Management and Livestock Grazing Element			
AC52: Any MUC Boundary changes needed?	Range issue 1: Need for Mgt zoning adjustments	Y	Boundary / herd size changes proposed as a result of the CDPA
Pssh, Psgb: Revise boundaries of Lacey-Cactus- McCloud & Eureka Valley allotments so they do not include portions of DVNP. Reexamine grazing levels as appropriate.			
Psrh: Livestock should be allowed to graze inside the drift fence on hunter MT.	Range issue 2: Need to amend element in specific areas to meet DT recovery goals.	Y	Alternatives considered for DT conservation strategy
AC5: Need to adjust grazing preferences due to changes in resource mgt goals in DT Wildlife Management areas.			
Pssgm: Exclude livestock from naturally occurring surface water but retain access for bighorn.	Range issue 3: Adjust exclusion areas to protect riparian resources.	N	May occur under existing management
?: Provide guidance for improvements in wilderness (refer to CDPA as approp)	Range issue 4: Guidance/need for improvement in wilderness	N	Outside the scope of this planning effort. Addressed in general BLM policies, the CDPA and separate planning annexes.
?: Avoid duplication of services between communities and Federal lands.	Range issue 5: Coordination strategies	Y	Addressed for DT conservation and where single allotments have been split. Other issues are outside the scope of this planning effort. Can be addressed through existing management and/or subsequent activity level planning
?: Joint Management of any facilities with NPS			
NePS: Consider establishing carrying capacities and a planning area wide permitting system for heavily used areas.			
G: How can we coordinate signage, structures and services to meet visual goals, provide positive image of agencies.			

8. Recreation Element			
AC52: Any MUC boundary changes needed?	Recreation issue 1: Need for mgt. Zoning adjustments	N	Outside the scope of this planning effort. Not DT conservation or CDPA focused. CDPA plan adequate in this area.
?: What if any, additional visitor service / facility should be provided and where – Federal Lands , communities?	Recreation issue 2: Need for additional facilities.	N	Outside the scope of this plan
Psaa: No additional facilities			
AC27: Identify measures to deal with disability access			
AC5: Do we need to identify and develop additional water sources (e.g. at trailheads)	Recreation issue 3: Need for additional non-motorized recreation strategy	N	Outside the scope of this planning effort
AC4a, AC7: Develop a strategy for non-motorized recreation in particular Mtn. Biking and horse trails.			
NePS: Address adequacy of trailhead parking, especially for wilderness areas, maintenance of, number and length of trails and need for single or multi-use trails bicycles, hikers and equestrians.			
NePS: Address various recreational opportunities including hang gliding, trail bicycles, and rock hounding.	Recreational issue 4: Need for additional recreation management. strategies	N	Outside the scope of this planning effort. They are not DT conservation or CDPA driven. Existing strategies are adequate. Shooting may be addressed in the context of the DT Conservation Strategy.
F: Where can we anticipate increased use and how can we work with private sector to provide touring, filming- commercial and recreational.			
AC1: Do we need to develop a strategy to bring commercial tour activities under permit?			
AC2,AC6: What can we do to prevent decorative rock collection. Will restricted access in wilderness put additional pressure on existing collecting areas?			
AC6: Do we need to permit uses that are higher risk, such as rock climbing?			
NePS: Address the issue of recreational shooting/ plinking in the preserve. (Also a BLM issue)	Recreational Issue 5: Need for additional camping guidance	Y	Addressed in DT conservation only. Other issues are outside the scope of this planning process.
AC20, NePS: Should we develop a policy on firewood and campfires on public lands based on sensitive resources and/or fire management policies.			
NePS: Look at policies on roadside camping, particularly in wilderness.			
Pcma: Consider adding no additional camping restrictions.	Recreational issue 6: Need for alternative for specific recreational opportunities.	N	Outside the scope of this planning process. Wilderness designation was anticipated and considered in CDCA plan and a part of broader consideration of recreational opportunities.
NePS: I.D. alternative areas for recreational opportunities no longer permitted in wilderness			
?: How can travel corridors through gateway communities complement the goals and missions of adjacent Federal land while gaining economic benefit to the communities? Joint Marketing strategies?	Recreational issue 7: Coordination strategies	N	Outside the scope of this planning effort.
9. Motor Vehicle Access Element			
AC52: Any MUC boundary changes needed?	Access issue 1: Need for management zoning adjustments	N	Effects of any proposed changes on MVA will be evaluated
AC4,AC6: Provide access to private lands, grazing allotments valid mineral claims, particularly in wilderness.	Access issue 2: Need for access for private lands and permitted uses.	Y	Where route designation is occurring, this issue is addressed (i.e. proposed DT Wildlife Management Areas)
NePS: Address access for VER, permitted uses and maintenance of facilities and private lands as well as general public access.			
PSkr: Discuss RS2477 grandfathered rights (re: maintained highways established before FLPMA)	Access issue 3: Consideration of RS2477	N	Outside the scope of this planning effort. BLM policy on RS2477 is addressed a a national level.

C: Is our current route inventory adequate for decisions?	Access issue 4: General route designation	Y	Addressed as part of the Desert Tortoise Conservation Strategy
PSsh: Do not permit Jeep tours or any motorized vehicles on closed roads/trails			
Pske: Do not reopen closed routes.			
Psaa: Do not designate any additional routes for vehicle use.			
Psmap: maintain existing accesses.			
AC84: Systematic application of criteria for limits/closures to routes needed.			
PSsh: Eliminate all roads/vehicle trails established after CDCA plan, unless they have been properly permitted.			
Psaa, PSsh, PSsgm: Eliminate unnecessary and environmentally damaging roads and trails, include duplicative trails.			
SBmtg: Will you address roads needed by recreational hobbyist to access remote locations.			
SBmtg: How will you address hunting in the NEMO area.	Access issue 5: Designate Non-motorized routes too.	N	Outside the scope of this planning effort.
AC4a: Look at designation non-motorized (Mtn bikes/horse) trails.			
AC7: Look at whether the entire length of Mojave road and Heritage trail should remain open to motorized vehicles.	Access issue 6: Site specific route designations Considerations	Y	Within the scope of the planning effort where in Desert Tortoise critical habitat
Psrb,Psce: Mojave Road and Hertage Trail should remain open.			
Pssh,Psfw: The so-called heritage trail is a patch work of 4WD routes without any historical significance.			
Psfw: Keep the Mojave Road available in its current condition.			
Pssh: Motor vehicle use is destorying most of the historical Mojave Road.			
NePS: Close Ivanpah Dry lake to vehicles (it is closed according to CDCA plan)			
PSsh: Happy and Surprise Canyons should remain in their present condition(&open) to provide a challenging 4WD route.			
PStd: Maintain both a N and S access to Saline Valley Hot Springs			
Psfw: 4WD track between Eureka and Saline valleys should stay open.	Access Issue 7: Need for route improvement and rehab decisions.	N	Administrative actions may be addressed under the existing CDCA plan and current policies. Rehab strategy will be addressed in DT Wildlife Management Areas
NePS: Consider maint. And paving needs as well as (opening / Closing)			
PSsgm: Restore (Rehabilitate) closed routes in the planning area.	Access Issue 8: Need for additional camping parameters along routes.	Y	Considered in DT Wildlife Management areas only.
AC2: Should camping areas in wilderness or no camping zones along open routes be designated.			
?: Provide info to the public on and enforcement of route designation decisions	Access issue 9: Need for additional information and enforcement strategies.	Y	Considered in Desert Tortoise Wildlife Management areas only.
?: What are our route signage needs			
AC6: Consider recommending amendment of CDPA to allow motorized use of the "Heritage" trail or rerouting trail	Access issue 10: Need for CDPA amendment recommendations on route corridors	N	Outside the scope of this planning effort.
Pcma: Resolve the competitive events issue			
?: How can travel corridors through gateway communities complement the goals and missions of adjacent Federal land while gaining economic benefit to the communities? Joint Marketing strategies?	Access Issue 11: Coordination Strategies	N	Outside the scope of this planning process

10. Geological, Energy & Mineral Resources Element			
AC52: Any MUC boundary changes needed	GEO Issue 1: Need for management zoning adjustments	Y	MUC amendment alternatives proposed.
Psbl/cp: Revise MUC of Panamint Range from DVNP or adj. BLM wilderness east of the center of the Playa to M (From L)			
PSbl/cp: Revise MUC of former WSA in the Slate Range from L to M			
AC1: Need for additional segregations given CDPA mineral access limitations	Geo Issue 2: Need for additional mining restrictions / opportunities	Y	Considering issue in the context of DT Conservation Strategy development
Pskr,Psbv,Psrh,Psroc: Keep remaining areas available for mining.			
SBmtg: How should we address small mines VS large mines, Small disturbance Vs more jobs			
NePS: Address the impacts from abandoned mines in & near the planning area boundaries, reclaim and reveg plans and adequacy of existing mitigation measures.	Geo Issue 3: Need for additional reclamation guidance	N	Outside the scope of this planning effort.
11. Energy Production and Utility Corridors Element			
AC52: Any MUC Boundary changes needed?	Utility issue 1: Need for mgt zoning adjustments	Y	Changes proposed to the extent existing corridors were affected by the CDPA.
AC31: Designate locations for low power radio transmitters along I-15/40 to provide traveler information.	Utility Issue 2: Need to develop additional com site locations	N	Outside the scope of this planning effort
?: Should additional radio sites I-15/40 provide traveler with info on things to do and see in the desert? Who would provide Info?			
12. Land Tenure Adjustment Element			
AC52: Any MUC boundary changes needed?	LTA issue 1: Need for management zoning adjustments	Y	MUC change amendments proposals
MUC Changes from L to M in Tecopa area to facilitate exchange out of Federal ownership for isolated tracts.			
MUC change from L to M to facilitate sale of land to Watkins			
BCSD: Consider making more land available for development	LTA issue 2: Need to accommodate future growth	Y	Addressed in context of the DT strategy or where specific proposals were identified during scoping
AC3: Do we need to look at mod to LTA to facilitate consolidation, exchanges with Cattellus or local needs	LTA Issue 3: Need for LTA boundary consolidation zone modifications	Y	Addressed in DT Wildlife Management areas only. Timbisha issue is addressed in a separate planning process
AC61: Incorporate decisions made on Timbisha Tribal lands.			
NePS: Examine possible land exchanges to consolidate Federal lands and recommend boundary adjustments.			
?: Need for additional boundary identification (Public, private, agency)	LTA Issue 4: Need for clarification of boundaries	N	BLM- Outside the scope of this planning effort. NPS- is anticipated to address in NEMO planning process.
PSjh: DVNP boundary should follow the Saline Valley road through the east side of Lee Flat and down San Lucas Canyon, as the boundary is not definite and the road boundary would be.			
Psja: Adjust the above boundary to the ridge line or the road and make other boundary adjustments to exclude valid mining claims.			

13A. Support Requirements: Air Quality			
AC52: Any MUC boundary changes needed	Air issue 1: Need for management zoning adjustments	Y	Addressed in Desert Tortoise critical habitat only
AC25: Identify and designate PSD area			
NePS: Address AQ within planning area	Air Issue 2: Need for additional site specific management strategies.	N	Outside the scope of this planning effort. Plans already exist for non-attainment areas with Air Quality Standards.
PSsgm: Evaluate the effects of soil disturbances, groundwater pumping and wind erosion on Air Quality.			
NePS: Discuss fuel dumping by military aircraft			
13B. Support Requirements: Soil Resources			
AC52: Any MUC boundary changes needed	Soil Issue 1: Need for mgt zoning adjustments	N	Outside the scope of this planning effort
Pssgm: Focus on soils as a high priority mgt area-I.D. and protect fragile soils and monitor soil impacts and soil component health	Soil issue 2: Need for additional site specific soil management and protection strategies	Y	Addressing in the DT Wildlife Management Areas only
AC115: Additional resources data is week or not existing. Need to develop this data			
AC22, AC10: Need standards for successful reclamation of various disturbances. Whose standards- Should we use SMARA standards?	Soil issue 3: Need for additional reclamation strategies	Y	Addressed in the context of the DT Conservation strategy only
Pssgm: Restore soils and vegetation at abandoned developments (mines, corrals, homesteads) and other denuded areas.			
13C. Support Requirements: Water Resources			
AC52: Any MUC boundary changes needed	Water Issue 1: Need for Mgt Zoning adjustments	N	Outside the scope of this plan
AC126,AC4Look at need for additional water strategies for water quality, a critical aspect of desert ecosystem management.	Water Issue 2: Need for additional general strategies to protect water quality	N	Outside the scope of this plan
NePS: Consider regional development and Fed project effects on water quality			
NePS: Restore springs to make them suitable for wildlife			
Pssgm: Stop additional spring modification			
Psbv: I.D. any/all lands protected under wetlands regulations (mining prospective)			
Pssgm: Manage wetlands to protect water quality			
AC33: Develop long-term strategy to protect the Amargosa Watershed	Water issue 3: Need for additional site-specific strategies to protect water quality	Y	Addressed in the ACEC proposal for Amargosa
Pssh: Address affects of water pumping(e.g. mining) on water in Amargosa R. and work to limit pumping to an amount that will not compromise water flow (in DVNP)			

AC126, AC4, PSkr: Look at need for additional strategies with regard to water rights, adjudication, and water quality, other critical aspects of the desert ecosystem management.	Water Issue 4: Need for additional strategies to assure adequate water quantities for natural resources	Y	Addressed for T&E species only. Otherwise outside the scope of this planning effort.
NePS: Consider regional development and fed project effects on water quality			
AC8: Do we need strategies to protect sensitive habitat from ground water withdrawal.			
AC62: Evaluate impacts of and plan appropriate strategies to deal with Impacts of water use on natural resources			
AC3: Evaluate impacts of ground water depletion on habitat health. What is the threshold of drawdown and what can be done to conserve water-dependent habitats?			
Pssgm: Increase monitoring to determine ground water pumping effects.			
Psrh: Protect my water rights on Hunter Mountain.			
13D. Support Requirements: Research / Monitoring			
AC36: Should we develop a comprehensive research strategy that speaks to on the ground issues .	Research issue 1: Need for research strategy plan in area	Y	Addressed in DT Wildlife Management areas and other ACEC proposals.
Pssgm: Develop an ecosystems based fire management policy			
Pssgm: Recommend a system for approving, supervising, & coordinating research activities in the planning area			
Pssh: Coordinate research activities so that \$\$ are used effectively			
Develop cost benefit analysis for proposals	Research issue 2: Need for Cost/benefit analysis	Y	This is addressed in the DT Conservation Strategy and for all proposals in the context of the EIS
Key for Source Abbreviations: AC - Agency scoping comment (NPS or BLM) PSxx - Public scoping comment with initials of person providing input.* *if no initials given, the source could not be identified NePS - NEMO planning team scoping comments ? - unknown source			

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